

REMARKS

Claims 22-24 have been added. Support for claims 22 and 23 may be found in the drawings, specifically Figure 2 where the opposed second surface of the body layer 12 (i.e., the surface which adhesive layer 28 contacts) is shown as substantially non-structured and planar. Support for claim 25 may be found in the specification at page 15, lines 16-30.

Claims 15-21 stand rejected under 35 U.S.C. 102(b) as being anticipated by Jungersen (U.S. Pat. No. 2,380,447, the 447 Patent). In a telephone call to the undersigned on May 6, 2003, the Examiner stated that his rejection was based on page 2, column 2, lines 2-49 and Figure 8 of the 447 Patent.

Claims 1-21 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-21 of U.S. Pat. No. 6,280,822 and claims 1-18 of U.S. Pat. No. 6,287,670.

Applicants submit the following arguments in support of their position that the claims are patentable.

Rejection of Claims 1-21 under 35 U.S.C. 102(b)

The 447 Patent does not anticipate the claims of the present invention. Page 2, column 2, lines 2-49 and Figure 8 of this reference does not teach a structure that has a body layer having cube corner cavities. In Figure 8, a plastic material 34 is formed to provide a structure which has a number of projections on its back surface 35. The projections do not form cube corner cavities between them. This is readily apparent by reference to Figure 6. As can be seen in Figure 6, there are no cavities bounded at least in part by three faces arranged as a cube corner element. Thus, the 447 Patent describes a structure that is different from Applicants' claims.

Since the 447 Patent fails to teach the presence of cube corner cavities in the body layer, it fails to anticipate claims 1-21.

With regard to new claims 22-24, Applicants submit that the 447 Patent fails to teach the use of a body layer that has a structured surface on one side (wherein the structured surface comprises cube corner cavities) and a substantially planar surface on the other side. Likewise, it fails to teach the use of a polymeric body layer having these features.

Applicants submit that the Examiner has failed to show that the 447 Patent anticipates the present claims.

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Obviousness-type Double Patenting

Applicants offer to submit a terminal disclaimer in this application should the Examiner indicate the presence of allowable subject matter.

Applicants believe that they have overcome the Examiner's rejections. They request reconsideration of the rejections and allowance of all claims.

Respectfully submitted,

Date

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